BOARD OF ADJUSTMENT Zoning Administration Division Development Services Department (DSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISIONS ***

DATE OF PUBLIC HEARING August 26, 2009

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO.

THE APPLICANT

C10-09-13 FRITZ RESIDENCES/A. FRITZ AND J. STEWART, 803 EAST LESTER STREET, R-2

The applicants' property is a 7,414 square foot lot located on the northeast corner of East Lester Street and North Euclid Avenue and is zoned "R-2" Residential. The site is developed with a three (3) bedroom single-family dwelling and a detached accessory structure that has been converted into a second three (3) bedroom single-family dwelling. An addition to the principle dwelling and conversion of the carport into a second dwelling occurred without prior zoning approval and permits. The room expansion and second dwelling are subject to compliance with all Land Use Code (LUC) criteria applicable to new construction. The applicants are seeking zoning approval to allow the addition and second dwelling to remain as constructed and to provide vehicular access and maneuvering. parking and vehicular use area improvements per the submitted plans. Tucson LUC Sections applicable to this project include, but are not limited to, the following: Section 2.3.5, which provides the criteria applicable to residential development in the R-2 zone: Section 2.8.3 which provides the criteria for development along a Major Streets and Route (MS&R); Sections 3.2.5 and 3.2.6 which provide the development criteria applicable to all principle and accessory structures; and, Sections 3.2.8 and 3.3.7 which provide the development criteria for pedestrian access and vehicular use areas including parking. vehicular access, maneuvering, landscaping and screening. The applicants are requesting the following variances: 1) Allow the room addition to the principal dwelling to remain as constructed within the future Major Streets and Routes (MS&R) right-of-way; 2) Allow the second dwelling to remain as constructed with a reduction in the building setback from twenty-one (21) feet to fourteen (14) feet, as measured from the face of the existing curb: 3) Allow the second dwelling to remain as constructed within the future Major Streets and Routes (MS&R) right-of-way; 4) Allow primary vehicular access and maneuvering from the alley and allow a reduction in the width of the parking area access lane (alley) from twentyfour (24) feet to twenty (20) feet; and, 5) Reduce the number of motor vehicle parking spaces from five (5) spaces to four (4) spaces, all as shown on the submitted plans.

DECISION: VARIANCES 1, 2, 3, 4 AND 5 DENIED.

NOTES:

A. Applicant to obtain applicable demolition and/or construction permits within 45 days.

B. Structures to be removed or modified to meet required setbacks within 180 days.

By LUC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

Sue Montes, Secretary
Board of Adjustment

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